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Attorney for Plaintiff and Cross-Defendant
Church of Scientology of California

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

CHURCH OF SCIENTOLOGY OF CALIFORNIA,)
)
) Plaintiff,)
)
) vs.)
)
) GERALD ARMSTRONG, DOES 1 THROUGH)
) 10, INCLUSIVE)
) Defendants.)
)
) _____)
) MARY SUE HUBBARD,)
) Intervenor.)
)
) _____)

Case No. C 420 153

DECLARATION OF
TIMOTHY BOWLES IN
SUPPORT OF PLAINTIFF/
INTERVENOR'S AND
CROSS-DEFENDANT'S
OPPOSITION TO MOTION
FOR RETURN OF
DOCUMENTS

GERALD ARMSTRONG,)
) Cross-Complainant,)
)
) vs.)
)
) CHURCH OF SCIENTOLOGY OF CALIFORNIA,)
) a California corporation, et al.,)
)
) Cross-Defendants.)
)
) _____)

Date: Feb. 21, 1989
Time: 9:00 a.m.
Dept: 56

I, Timothy Bowles, declare:

1. I am a partner in the firm of Bowles and Moxon. I am
counsel of record in this case for plaintiff and cross-defendant

1 Church of Scientology of California ("CSC"). I am submitting
2 this declaration in support of plaintiff's and intervenor's
3 opposition to non-party Bent Corydon's motion for return of
4 documents and for inspection of five specific documents
5 maintained under seal ("Motion"). I could and would testify
6 competently to the following if called upon to do so.

7 2. I am also counsel of record for plaintiff Heber
8 Jentzsch in the coordinated matters of Jentzsch v. Corydon,
9 Los Angeles Superior Court No. NVC 14274 and Carmichael v.
10 Corydon, Riverside Superior Court No. 189414, Judicial
11 Coordination Proceeding No. 2151 (hereinafter "Jentzsch/
12 Carmichael").

13 3. In each of these coordinated actions, Bent Corydon has
14 been sued for defamation by individual ministers of the Churches
15 of Scientology stemming from false statements Corydon made about
16 them in the public media in August 1987. Paul Morantz
17 represents Corydon in both cases. Both the Jentzsch and
18 Carmichael suits were filed in September 1987, with
19 coordination of the two cases assigned by the Judicial Council
20 to Judge Bruce J. Sottile of the Los Angeles Superior Court on
21 February 17, 1988. On March 25, 1988, on stipulation of the
22 parties, Judge Sottile assigned authority for the conduct of
23 discovery and the resolution of discovery disputes to a referee,
24 retired Court of Appeal Judge Robert Feinerman.

25 4. Each side in the Jentzsch/Carmichael cases has
26 conducted discovery since the litigation was initiated. There
27 are currently a number of discovery disputes that await informal
28 resolution between counsel or, failing that, resolution by Judge

1 Feinerman.

2 5. On or about November 9, 1988, defendant Corydon filed a
3 motion for summary judgment which, by stipulation of the
4 parties, was submitted to Judge Feinerman for resolution. On
5 December 6, 1988, Corydon served by mail upon both Reverend
6 Jentsch and Reverend Carmichael an identical fourth set of
7 interrogatories. Each plaintiff timely served responses and
8 objections to these interrogatories on January 10, 1989 (see
9 Exhibit P to Motion).

10 6. On January 12, 1989, at the request of Mr. Morantz,
11 Judge Feinerman conducted a telephone conference to resolve the
12 scheduling of ongoing discovery and resolution of discovery
13 disputes. During this conference, Mr. Morantz stated that he
14 intended to prepare and file a motion to compel further answers
15 to his fourth sets of interrogatories. Judge Feinerman directed
16 Mr. Morantz to engage in a meet and confer with plaintiffs'
17 counsel on the issues and, failing resolution, to prepare with
18 said counsel a joint statement of disputed issues to be
19 submitted to Judge Feinerman for resolution. Judge Feinerman
20 then ruled that all discovery and all motions to compel
21 discovery would be stayed until after he had ruled on Corydon's
22 summary judgment motion.

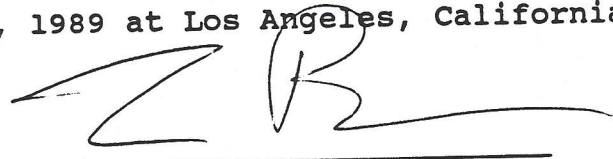
23 7. Since that conference, Mr. Morantz has made no effort
24 to schedule a meeting with plaintiffs' counsel to informally
25 resolve the disputes remaining over defendant's fourth set of
26 interrogatories.

27 8. On or about January 27, 1989, I received a copy of Mr.
28 Morantz's January 25, 1989 letter to Judge Sottile's clerk along

1 with a copy of an order documenting the discovery stay which had
2 been prepared by Mr. Morantz and signed by Judge Feinerman. A
3 true copy of those documents is attached as Exhibit A.

4 9. I attended the hearing conducted on December 11, 1986
5 in the above entitled case. Exhibit B, attached, is a
6 transcript of that hearing which accurately reflects the content
7 of the proceedings.

8 I declare under penalty of perjury under the laws of
9 California that the foregoing is true and correct. Executed
10 this 13th day of February, 1989 at Los Angeles, California.



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12 Timothy Bowles

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